

## **REMARKS**

Claims 1–6 are pending in this application. By this Amendment, claims 1 and 4 are amended. Support for the amendments to the claims may be found, for example, in the original claims. No new matter is added.

In view of the foregoing amendments and following remarks, reconsideration and allowance are respectfully requested.

Applicants appreciate the courtesies shown to Applicants' representative by Examiner Tran in the May 3, 2007 personal interview. Applicants' separate record of the substance of the interview is incorporated into the following remarks.

Entry of the amendments is proper under 37 CFR §1.116 because the amendments:

(a) place the application in condition for allowance (for the reasons discussed herein); (b) do not raise any new issue requiring further search and/or consideration (as the amendments amplify issues previously discussed throughout prosecution); (c) satisfy a requirement of form asserted in the previous Office Action; (d) do not present any additional claims without canceling a corresponding number of finally rejected claims; and (e) place the application in better form for appeal, should an appeal be necessary. The amendments are necessary and were not earlier presented because they are made in response to arguments raised in the final rejection. Entry of the amendments is thus respectfully requested.

### **I. Rejection under 35 U.S.C. §112, First Paragraph**

The Office Action rejects claims 1 and 4 under 35 U.S.C. §112, first paragraph, as failing to comply with the written description requirement. Specifically, the Office Action asserts that the recitation of "if an abnormality occurs wherein the next service is not performed by the next cooperative processing apparatus after the next cooperative processing apparatus receives the cooperation information" is not supported by the specification because

it considers "not performed" as a negative limitation that is not positively described in the specification.

Although the Applicants do not agree with the position asserted by the Office Action, claims 1 and 4 are amended as set forth above in order to expedite prosecution of the application. Specifically, claims 1 and 4 are amended to recite, "if an abnormality occurs in the next cooperative processing apparatus after the next cooperative processing apparatus receives the cooperation information." Support for these amendments may be found, for example, in claims 1 and 4 as originally filed, which recited "an abnormality has occurred in the cooperative processing apparatus in performing the next service after receiving the cooperation information" (emphasis added).

## **II. Rejection Under 35 U.S.C §102**

The Office Action rejects claims 1–6 under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 6,804,020 to Kuroda et al. ("Kuroda"). Applicants respectfully traverse the rejection.

It is well settled that a claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference. *See MPEP §2131.*

Claims 1 and 4 require a control or step of "sending, to a transmission source of the cooperation information, a processing result indicating whether the service processing unit has performed the service normally or abnormally." The specification defines the "transmission source" as "a service processing apparatus that performed a service that preceded the service that has been performed by the service processing apparatus concerned." *See page 12, lines 11–13.* Despite its alleged teachings, Kuroda does not describe such a feature.

The Office Action asserts that Kuroda describes a step of determining as to whether or not cooperation is possible and notification of the cause of trouble upon cooperation such as "OK" or "NG." *See* Office Action, page 4. However, this is not the same as sending "a processing result indicating whether the service processing unit has performed the service normally or abnormally" (emphasis added). Instead, what Kuroda describes is a step to determine if an external cooperation device would perform, or, in other words, is capable of performing the service requested by the user by determining whether the parameters set by the user are acceptable to the external cooperation device and, if not, notifies the user of which parameters are not acceptable so that the user may adjust the unacceptable parameters.

Claims 1 and 4 further require "if an abnormality occurs in the next cooperative processing apparatus after the next cooperative processing apparatus receives the cooperation information, the sending and receiving unit sends a copy of the cooperation information to a substitute cooperative processing apparatus capable of performing a substitute service for the next service" (emphasis added). Notwithstanding its asserted disclosures, Kuroda fails to expressly or inherently describe such a feature.

As correctly pointed out by the Office Action, Kuroda teaches that when the printer fails to complete proper printing, the printer makes another attempt to perform printing. *See* Office Action at page 5. In other words, the printer determines on its own if it successfully printed the image, and if not, it tries to print again from the same data it originally received. There is no mechanism or backup provided (such as finding a substitute cooperative processing apparatus capable of performing a substitute service) by Kuroda in the case where the printer successfully receives the image data, but cannot properly print the image. Thus, Kuroda cannot be fairly said to anticipate claims 1 and 4.

Kuroda does not anticipate claims 1 and 4. Claims 2, 3, 5, and 6 variously depend from claims 1 and 4 and, thus, also are not anticipated by Kuroda. Accordingly, reconsideration and withdrawal of the rejection are respectfully requested.

**III. Conclusion**

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of the application are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



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